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201 Broadway  
Cambridge MA 02139

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**AUG 02 2006**

**OFFICE OF PETITIONS**

In re Application of	:	
Yerazunis et al.	:	
Application No. 09/923,107	:	DECISION ON PETITION
Filed: August 6, 2001	:	
Title: Privacy-Enhanced Display Device	:	

This is a decision on the petition under 37 CFR 1.137(b), filed July 17, 2006, to revive the above-identified application.

This petition is hereby **Dismissed**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** final agency action within the meaning of 5 U.S.C. §704.

This above-identified application became abandoned for failure to timely file a response to a final Office Action which was mailed on September 30, 2005. The final Office Action set a three (3) month shortened statutory period for reply. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). Accordingly, this application became abandoned on December 31, 2005. A Notice of Abandonment was mailed on April 21, 2006. A petition under 37 CFR 1.137(b) was dismissed on July 3, 2006.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See MPEP 711.03 (c)(III)(C) and (D).

The instant petition lacks item (1).

As to item (1), petitioner submitted an amendment with the instant petition. However, the examiner has determined the amendment does not place the application in condition for allowance. The proposed reply required for consideration of a petition to revive must be an Appeal brief and fee, an amendment that prima facie places the application in condition for allowance, the filing of a continuing application or a Request for Continued Examination (RCE). See MPEP 711.03(c)(III)(A)(2) and 37 CFR 1.114. Accordingly, this application cannot be revived.

A copy of an advisory action has been included for petitioner's convenience.

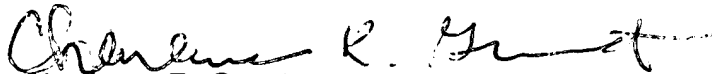
Further Correspondence with respect to this matter should be addressed as follows:

By mail:                                      Mail Stop Petition  
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By facsimile:                                (571) 273-8300

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Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

  
Charlema R. Grant  
Petitions Attorney  
Office of Petitions